

REMARKS

New Claims 32-61 have been added. Claims 1-61 are now pending in the application.
Reconsideration of the application is requested.

Certain ones of claims 1-31 have been amended as shown herein to address antecedent issues and clarify the claimed subject matter. It is not believed that these amendments effectuate any narrowing in the scope of the claimed subject matter. Certain amendments are also believed to be broadening (for example, see claim 15).

Claims 1-4 and 16-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rahamim in view of Gilbert. Applicant respectfully traverses the rejection.

The Examiner has asserted that Rahamim teaches a hybrid circuit made from reactive elements configured in a voltage divider configuration. Claim 1 further recites that the hybrid must also perform a filtering functionality which filters signals at frequencies that fall outside of a certain range. The Examiner has correctly conceded that Rahamim fails to teach or suggest this claimed filtering feature.

In support of the Section 103 rejection, the Examiner relies on the teachings of the Gilbert reference. More specifically, the Examiner points to a low pass filter 30 and high pass filter 28 in Gilbert which function as a noise suppressor. It is the Examiner's position that it would have been obvious to one skilled in the art to "incorporate the use of [a] hybrid circuit with filtering feature ... in order to improve [Rahamim's] hybrid circuit." Applicant respectfully traverses and asserts that a) no motivation exists for combining the Gilbert filter(s) with the Rahamim hybrid circuit, and b) that even if combined, the resulting circuit would fail to meet the claimed invention.

Turning first to the proposed combination of references, Applicant notes that Rahamim is focused solely on the issue of canceling the injected transmit signal prior to processing by the modem receiver circuit. Rahamim fails to recognize any issues concerning noise cancellation/suppression or

identify any need for a noise filter, or any other type of filter. With respect to Gilbert, this reference teaches a communications system with separate transmit and receive paths (see, reference 20) with separate transmit and receive transformers (see references 12 and 14). The noise suppression filters in Gilbert are components of the receiver. There is no indication or suggestion that these filters in any way are useful in connection with the operation of a hybrid. In fact, with separate transmit and receive paths, there are no signal transmission hybrid issues to deal with in Gilbert. There would accordingly be no motivation for one skilled in the art to look to the Gilbert reference in general, or to look at the noise suppression filters in particular, for use or application in a reactive hybrid circuit like that taught by Rahamim. The proposed combination of references is accordingly improper and should be withdrawn.

Even if the combination of references is proper, the circuit which results from the combination fails to meet each and every limitation of the claims. The Examiner has simply failed to make out the prima facie case for obviousness. The noise suppression filters of Gilbert are disclosed as filters operable in the receiver itself (i.e., inside box 11) and are not disclosed as being related to or in any way dependent on the operation of the transformer 12. To the extent such filters were included in the claimed invention, they would reside in the claimed "receiver circuit" and thus would not meet the recited functionality of the separately claimed "hybrid circuit" to filter signals. Thus, the Section 103 rejection is improper and should be withdrawn.

Turning next to claim 16, Applicant asserts that the Section 103 rejection is improper for at least the same reasons as recited above with respect to claim 1. Withdrawal of the rejection is requested.

Claims 25-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hiyoshi in view of Gilbert. Applicant respectfully traverses.

The Hiyoshi reference teaches a hybrid circuit made from a balanced bridge (see, Figure 1). This hybrid circuit, however, is not a "first filter circuit" as claimed. The Examiner has conceded that Hiyoshi (the reference to Rahamim appears to be a clerical error) fails to teach the filtering functionality and relies on Gilbert. Again, for at least the same reasons as discussed above, Gilbert does not address the deficiency of the hybrid circuit from either primary reference (Rahamim or Hiyoshi). No motivation to combine Gilbert with Hiyoshi exists, and further any combination of the teachings would not meet the claimed invention. Withdrawal of the Section 103 rejection is requested.

New claims 32-45 have been added and are directed to the objected to subject matter identified by the examiner as being allowable.

New claims 46-61 have been added and are directed to subject matter believed to define over the cited prior art.

Respectfully submitted,

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